

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : C.M. Kam  
P. FAUVEAU et al :  
Serial No.: 10/018,073 : Group: 1653  
Filed: December 4, 2001 :  
For: NEW...ANTIFUNGALS :

475 Park Avenue South  
New York, N.Y. 10016  
November 19, 2004

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Aventis Pharma S.A., Assignee of the entire right, title and interest in and to U.S. Patent No.6,677,429 issued on January 13, 2004 and owner of the above-identified application and any Letters Patent issuing thereon, hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent No. 6,677,429 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title on U.S. Patent No. 6,677,429, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns. Notwithstanding the instant Terminal Disclaimer and in the event the expiration date of U.S. Patent No. 6,677,429 is less than 17 years from the date of issue or 20 years from the date of filing thereof, whichever is longer, for failure to pay a maintenance fee or any other reason,

Assignee does not disclaim any terminal part of a patent granted on the above-identified application which extends from a date prior to the normal expiration date of U.S. Patent No. 6,677,429.

Then Assignment was recorded in the Patent and Trademark Office at Reel 12765, Frame 0857.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the Assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,  
Muserlian, Lucas and Mercanti

  
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CAM:ds  
Enclosures